Page 9, the paragraph starting on line 8, replace the paragraph with the following paragraph

As mentioned above, the timing belt 39 drives the pusher 30 forwardly toward the feeder 40. The feed rate of the pusher 30 can be matched to the conveyor 22 so that the pusher and the conveyor feed the mail together at the same rate. For instance, the timing belt 39 may be interconnected with the conveyor motor 27 so that the motor drives both the pusher and the conveyor. Alternatively, and preferably, the pusher 30 is driven by a separate motor 37 (see Fig. 9) that is controlled independently of the conveyor motor 22. More specifically, preferably the pusher 30 operates in response to a pusher feed sensor 38 that is configured similarly to the conveyor feed sensor 24 described above.

Before claim 1, insert the following:

"We Claim"

IN THE DRAWINGS

Enclosed are proposed revised Figs. 1 and 4.

REMARKS

In an Official Action dated December 24, 2002, the Examiner rejected claims 1-18 in light of a variety of prior art references. The Examiner also raised several objections to the specification and drawings. Applicants request that the Examiner reconsider the rejection of the claims in light of the following discussion. In addition, Applicant believes that the above amendments to the specification overcome the Examiner's objections.

Uno 5,535,127

Claims 1-8 and 10-18 were rejected under Section 102 as anticipated by Uno 5,35,127. However, Uno is directed to an apparatus to be used by the postal service for scanning and evaluating mail to cancel the postage on mail pieces. In contrast, Applicants' apparatus and method are directed to preparing mail to be delivered to the postal service. This difference is reflected in the claims.

The Examiner did not indicated which elements in Uno '127 correlated to the elements of Applicants' claims, so Applicants' undersigned attorney has attempted to determine which elements the Examiner may have been referring to.

Uno '127 operates by weighing and scanning mail received by the postal system to ensure that the mail has the proper amount of postage. Col. 4, lines 23- 39. If the mail piece has the proper postage, a stamper 126 stamps a postmark over the postage. Col. 4 lines 39-51. If the piece does not have the proper postage, a stamping machine stamps postage due on the envelope.

In contrast to Uno '127, Applicants' apparatus and method is operable to weigh and scan pieces, determine the proper postage required and then applies a label onto the piece with the proper postage printed on it. Uno '127 does not teach or suggest the use of a labeler because Uno '127 has no need for a labeler. Uno '127 has no need to apply a label and printing postage because it is directed to the opposite function—canceling postage. Since Uno '127 does not teach or suggest a labeler or a printer for print postage on the labels, and since Uno '127 discloses a machine that is directed to different functions, Uno '127 does not teach or suggest the features of claims 1 and 13 and dependent claims 2-12 and 14-18. According Applicants request that the Examiner reconsider the rejection of claims 1-8 and 10-18 over Uno '127.

In addition, Uno '127 does not teach or suggest several of the features in the

dependent claims, and the Examiner has not even mentioned the features in the Official Action. For instance, Uno '127 does not teach or suggest a roller bed for conveying pieces in a generally horizontal orientation as recited in claim 10. Similarly, Uno '127 does not teach or suggest a verifier as recited in claims 11 and 12. For these additional reasons, claims 10-12 are further patentable over Uno '127.

Connell 5,005,124

Claims 1,2 6-8, 10, 11 and 13-18 were rejected as anticipated by Connel 5,005,124 (or EP 026228, which appears to be the same disclosure). However, Connell '124 is directed to a system and method for ensuring that mail is categorized properly and in a way that the Post Office need not manually inspect the mail to ensure that the mail is properly prepared to qualify for postage discounts. Connell '124 simply weighs and scans each piece to evaluate whether the mail is properly addressed and has the proper postage. Connell '124 also includes a feature that allows the Post Office to directly interface with the system remotely so that the Post Office can monitor the system to ensure that the system is properly processing the mail (i.e. ensuring that the mail that the system identifies as properly prepared truly is properly prepared).

Connell '124 does not teach or suggest a labeler or a printer for printing postage onto labels. Connell '124 does not even apply postage to the mail, and the only printer is for printing out reports; it is not for printing anything on the mail pieces or on any labels. Accordingly, Connell '124 does not teach or suggest the features of claims 1 and 13 and dependent claims 2, 6-8, 10, 11 and 14-18.

In addition, Connell '124 does not teach or suggest several of the features in the dependent claims, and the Examiner has not even mentioned the features in the Official Action. For instance, Connell '124 does not teach or suggest a roller bed for conveying pieces in a generally horizontal orientation as recited in claim 10. Similarly, Connell '124 does not teach or suggest a verifier as recited in claim 11. For these

additional reasons, claims 10 and 11 are further patentable over Connell '124.

Sansone 5,008,827 and Metelits 5,119

Claims 1,2 6-8, 10, 11 and 13-18 were rejected as anticipated by Sansone 5,008,827 and Metelits 5,119,306. As discussed for the previous references, the Sansone and Metelits references do not teach or suggest a labeler for applying labels to pieces to apply the proper postage. Sansone and Metelits may include a printer, but they do not include a labeler. Therefore, Sansone and Metelits cannot anticipate claims and 13 and dependent claims 2, 6-8, 10-11 and 14-18.

Simialrly, Sansone and Metelits do not teach or suggest a roller bed conveyor or a verifier as recited in dependent claims 10 and 11. For these additional reasons, claims 10 and 11 are further patentable over Sansone '827 and Metelits '306

Gil 6,477,514

Gil '514 is even further different from the claims than the previously discussed references. Gil '514 is directed to a self-service postage machine that is operable to weigh mail and determine the proper postage based on various criteria. However, Gil' 514 requires the user to enter various information, such as the zip code for the piece of mail. Since Gil '514 does not recite an imaging station, Gil '514 does not teach or suggest the features of claims 1 and 13 and dependent claims 2, 6-8, 10, 11 and 14-18.

In addition, Gil '514 does not teach or suggest several of the features in the dependent claims, and the Examiner has not even mentioned the features in the Official Action. For instance, Gil '514 does not teach or suggest a sorter and a reject bin as recited in claims 6-8 and 15-16. Further, Gil '514 does not teach or suggest a roller bed for conveying pieces in a generally horizontal orientation as recited in claim 10. Similarly, Gil '514 does not teach or suggest a verifier as recited in claims 11 and

17. Further still, Gil '514 does not teach or suggest a feeder for serially feeding pieces from a stack. In Gil '514 the user simply inserts a single piece into the device. For these additional reasons, claims 6-8, 10, 11 and 15-18 are further patentable over Connell '514.

York 5,926,392

Claim 9 was recited as obvious in light of York '392 and any one of the previously discussed references. The Examiner cites York as standing for the broad principle that it is obvious to re-orient an item of mail so that the item can be processed by the system. First, this is an overly broad reading of York. York discusses re-orienting documents that have been extracted from envelopes. One of the objects is so that after the documents are processed, they are sorted into stacks in which the documents are all facing in the same direction and the same orientation. There is no teaching of re-orienting a piece of mail onto which a label and postage is to be applied.

Further, claim 9 recites a re–orientor for re-orienting the mail "as the feeder feeds the mail into the system transport. There is no teaching in York '392 of such a re-orienor. Accordingly, for this additional reason, claim 9 is patentable over the prior art of record.

In light of the foregoing, Applicant believes that this application is in form for allowance. The Examiner is encouraged to contact Applicant's undersigned attorney if the Examiner believes that issues remain regarding the allowability of this application.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN
A Professional Corporation

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Patent Application No. 09/904,471
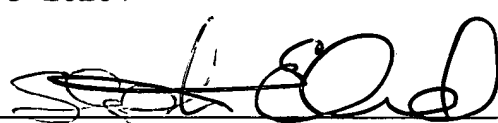
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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this Response and accompanying papers are being deposited on **June 24, 2003** with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER OF PATENTS AND TRADEMARKS, Washington, DC 20231

__June 24, 2003__
Date of Certificate

Stephen Eland

Petition for Extension Under 37 CFR §1.136(a)

Applicant's undersigned Attorney hereby petitions for an extension of time of **THREE** months beyond the time period set in the last office communication. The proper fee is enclosed as identified in the enclosed Fee Transmittal form.

__June 24, 2003__
Date of Certificate

Stephen H. Eland
PTO Registration No. 41,010

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